

REMARKS

The above-referenced application has been reviewed in light of the Office Action mailed March 29, 2006. By the present amendment, the Applicant has amended claims 1, 3, 5, and 7. It is respectfully submitted that the claims pending in the application, namely claims 1-10 and 12-15, do not introduce new subject matter, are fully supported by the application, and are patentable over the prior art. Prompt and favorable consideration of these claims is earnestly sought.

The Office Action rejected claims 1-15 under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 5,591,183 to Chin (the '183 patent). According to the Office Action, the '183 patent discloses a method including providing a long slender rod having handle wherein a first sideways hook is located on the distal end and a second sideways hook extends from the rod in an opposing direction from the first sideways hook, manipulating the rod to slide the sideways hooks around the artery, and pushing and/or pulling the rod to slide along the artery until the artery is separated from the surrounding tissue.

As presently amended, independent claims 1, 3, and 5 recite a method including, *inter alia*, the step of "providing a long slender rod with a handle on one end, a sideways hook on the other end, and a segment located therebetween, the segment offsetting the hook from a longitudinal axis defined by the rod," while independent claim 7 recites a method including, *inter alia*, the step of "providing a long slender rod with a handle end, a hooked end, and a segment located therebetween, the segment offsetting the hook from a longitudinal axis defined by the rod, said hooked end having a sideways extending hook near its distal tip."

The '183 patent discloses a dissection device having an open ring 702 located at its distal end. As shown below in Figure 7, the device disclosed in the '183 patent includes a circular ring

702 having a portion removed wherein the ring 702 is disposed at the distal end of a rod 704. As seen in Figure 7, the portion of the device connecting the circular ring to the handle is straight.

The '183 patent (Column 8, lines 1-13) describes the disclosed device as follows:

FIG. 7 depicts an embodiment of a dissection instrument 700 designed to dissect out a vessel 502. It is composed of a rigid open ring 702 attached to a long rigid shaft or handle 704. The ring 702 has an opening 706 through the body of the ring 702. The width of the opening 706 must be at least equal to the diameter of the vessel 502 which is being dissected so that the vessel 502 can pass through the opening 706. The open ring 702 includes at least one cutting edge 708 extending substantially along the circumference of the ring 702. The cutting edge 708 is capable of dissecting tissue and may be curved or twisted out of a single plane generally perpendicular to the handle 704. Preferably, there is a second cutting edge 710 located along the ring's circumference opposite from the first cutting edge 708.

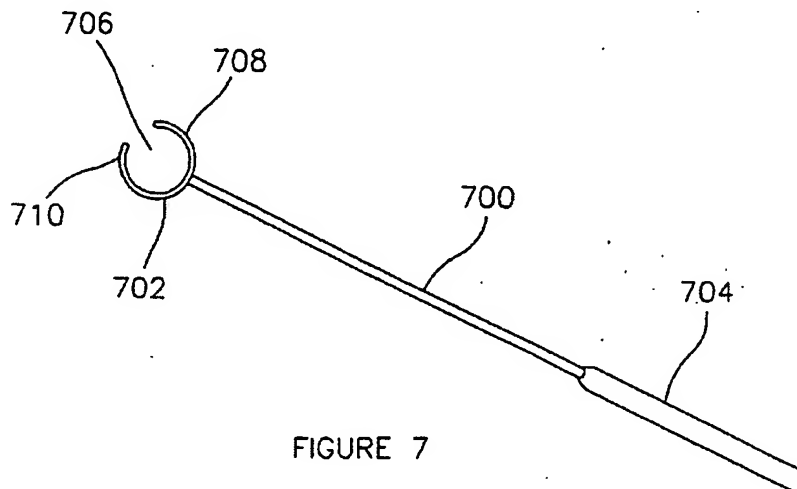


FIGURE 7

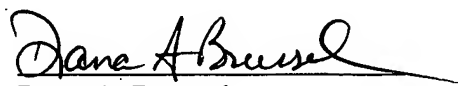
In contrast to the device disclosed in the '183 patent, independent claims 1, 3, and 5 of the present application recite a method including, *inter alia*, the step of "providing a long slender rod with a handle on one end, a sideways hook on the other end, and a segment located therebetween, the segment offsetting the hook from a longitudinal axis defined by the rod," while independent claim 7 recites a method including, *inter alia*, the step of "providing a long slender rod with a handle end, a hooked end, and a segment located therebetween, the segment offsetting

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the hook from a longitudinal axis defined by the rod, said hooked end having a sideways extending hook near its distal tip." The '183 patent fails to disclose or suggest a device having a segment located between the handle and the hook, wherein the segment offsets the hook from a longitudinal axis defined by the handle. Therefore, for at least the reasons discussed hereinabove, it is respectfully submitted that amended claims 1, 3, 5, and 7 are not anticipated or suggested by the '183 patent and are in condition for allowance. Claims 2, 4, 6, 8-10, and 12-15 depend from claims 1, 3, 5, and 7 respectively and it is respectfully submitted that these claims are also in condition for allowance.

Prompt and favorable action on these claims, namely claims 1-10 and 12-15, is earnestly requested. Should the Examiner desire a telephonic interview to resolve any outstanding matters, the Examiner is sincerely invited to contact the undersigned at (631) 501-5713.

Respectfully submitted,


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